

1 **10A NCAC 26E .0111 is proposed for amendment as follows:**

2 **10A NCAC 26E .0111 EXEMPTION OF LAW ENFORCEMENT OFFICIALS**

3 (a) The requirement of registration is waived for the following persons in the circumstances described in this Rule:

- 4 (1) any person employed by the following agencies who is lawfully engaged in the enforcement of any
5 North Carolina or federal law relating to controlled substances, drugs or customs and is duly
6 authorized to possess controlled substances in the course of his official duties: the Department of
7 Health and Human Services, the North Carolina Department of Justice, the North Carolina Board of
8 Pharmacy, the Drug Enforcement Administration, the United States Bureau of Customs and the United
9 States Food and Drug Administration;
- 10 (2) any dog handler who is employed or under contract to a North Carolina law enforcement agency or
11 other person specified in G.S. 90-101(c)(5);
- 12 (3) any person employed by any political subdivision of the State who is engaged in the enforcement of
13 any state or local law relating to controlled substances and who is duly authorized to possess
14 controlled substances in the course of his official duties; or
- 15 (4) any official of the United States Army, Navy, Marine Corps, Air Force, Coast Guard or Public Health
16 Service who is authorized to prescribe, dispense or administer but not to procure or purchase
17 controlled substances in the course of his official duties. Such officials shall follow procedures set
18 forth in Section .0400 of this Subchapter regarding prescriptions but shall state the branch of service or
19 agency (e.g., United States Army or Public Health Service) and the service identification number of the
20 issuing official in lieu of the registration number required on prescription forms. The service
21 identification number of a Public Health Service officer is his social security number.

22 (b) Any official exempted by this Rule may, when acting in the course of his official duties, possess any controlled
23 substance and distribute any such substance to any other official who is also exempted by this Section and acting in the
24 course of his official duties.

25 (c) Any official exempted by this Rule may procure any controlled substance in the course of an inspection in accordance
26 with .0503(a)(4) of this Subchapter or in the course of any criminal investigation involving the person from whom the
27 substance was procured.

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29 *History Note: Authority G.S. 90-100; 90-101; 143B-147(a)(5);*

30 *Eff. June 30, 1978;*

31 *Amended Eff. January 1, 2005; May 1, ~~1990~~, 1990;*

32 *Recodified from 10A NCAC 26E .0109 to 10A NCAC 26E .0111 Eff. January 1, 2005.*